

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:14-CT-3324-D

MANDREY D. DAVIS,

Plaintiff,

v.

JIMMY HILBOURN, et al.,

Defendants.

ORDER


On June 7, 2018, Magistrate Judge Numbers issued a Memorandum and Recommendation (“M&R”) [D.E. 72] and recommended granting defendant’s motion for summary judgment [D.E. 68] and dismissing Mandrey D. Davis’s (“Davis”) 42 U.S.C. § 1983 complaint. Davis did not object to the M&R, despite receiving an extension of time to do so. See [D.E. 76].

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted). The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 72].

In sum, the court adopts the conclusions in the M&R [D.E. 72], and GRANTS defendant’s motion for summary judgment [D.E. 68]. Davis’s complaint is DISMISSED, and the clerk shall close

the case.

SO ORDERED. This 27 day of August 2018.



JAMES C. DEVER III
Chief United States District Judge